

ANOLDMAN'S WHIMS

How They Were Influenced by a Designing Woman.

EVIDENCE IN THE BROWN CASE

Shows How a Family Skeleton Can Be Conjured Up After Many Peaceful Years — All Witnesses Agree.

The contest over the last will and testament of the late James H. Brown, has lost none of its attractiveness. The same motley crowd filled the court room yesterday as on previous days of the hearing. The contestant, Mrs. Alice Hayden, is still surrounded by a score of lady friends, each and every one of whom now and then offer condolences and cast searching glances in the direction of the proponent, Mrs. Haines, who sits back of her counsel, fixed, impassive, and undisturbed by the emotional evidence which is being adduced.

When court convened at the morning session Mrs. Skinner, sister of the late Mrs. Brown, resumed the stand, and Mr. Dunham cross-examined her. In addition to what she said the day before, she testified that Mr. Brown began to be irritable and change in his conduct toward his wife about 1877. At times he was pleasant, but instead of growing better he grew worse. In 1880 Mr. Brown's nature entirely changed. In 1881 he once observed that he had made a will and all he could think of was to break it. The cross-examination by Mr. Dunham did not shake Mrs. Skinner's direct testimony.

Henry D. Brown, nephew to Jas. H. Brown, was put on the stand. His first visit to Michigan was in 1885, when he was on his way to Milwaukee. He stopped off and visited his uncle, asked about his family and saw Alice and Margaretta, the latter living at that time in Grandville. Almost the first thing his uncle said was that he would give a farm if Margaretta was like Alice. The next advent of the witness in Michigan was in 1870. He asked about Margaretta this time and his uncle's reply was similar to the first. The first time witness saw Margaretta was at Grandville during this visit. He accompanied his uncle to her house. When in the presence of Mrs. Haines, Mr. Brown appeared to be under some restraint. The first time the witness made a will was in 1881. After the death of his grand-daughter, Mr. Brown became peevish and irritable, his conduct in the family circle changed and he was cross to his wife.

Afternoon Session.

Henry D. Brown was recalled when court convened in the afternoon. In answer to a question put by Mr. Smiley as to whether Mrs. Brown ever complained because her husband did not properly provide her with money and clothes he said he at one time told his uncle that he was not treating his wife right and that he should buy her a dress and give her money. The uncle replied that his wife had all the clothes she needed and he would not buy her any more. The witness said, "Uncle there was a time when you would not hesitate to give her all the clothes she wanted." Mr. Brown replied, "That isn't now; I can't see what in the devil she wants of any more clothes." Witness remembered having heard his uncle scold his wife because she sold some potatoes. Mrs. Brown told the witness that they had more potatoes on hand than they could use. She sprouted some of them and sold them so that she could have money with which to buy necessities. The witness was very indignant because his wife had disposed of the potatoes and told her that she had no business to sell anything. About the year 1881 Mr. Brown's visits to Grandville were frequent and after returning he was always sour and early toward his wife. On one occasion, about four weeks before the death of Mrs. Brown, the witness remonstrated with his uncle because he was so close in money matters toward his family. He told the old man that he ought to be ashamed of himself for treating his wife in the manner which he did. When the witness started to leave the old man followed him into the hallway, called him back as he was about to open the door and said:

"I'll tell you the reason why I do not give my wife any money."

"Well, why is it?"

"Because every dollar I give her she sends to Alice, and Alice shall never get another dollar of my money with my consent."

"Uncle, I am ashamed of you. Why should you treat Alice like this?"

"She is not my child."

"What's that you say? Man, you must be crazy. No, it's God's truth. Margaretta told me so, and she says she knows it is true."

"Uncle, you astound me. You should be ashamed of yourself. You must be crazy."

"No I am not. Do you think I am a fool? Margaretta has told me this, and she says Dr. Hoyt of Adrian, the father of Alice. I know it is so. I know it is so."

At this point in the conversation the witness became indignant, and left the room. When the witness was dying an effort was made to induce the old man to go into his room, and take hold of her hand, but he would not do so. After she was dead Mr. Brown said he was glad that she was dead and out of the way. While the body was still in the house Mr. Brown wanted an inventory of the household articles taken. He had there was a— a pack of thieves around the house, and he didn't want them to carry everything away. The witness remonstrated, telling his uncle that he could wait until Mrs. Brown was buried. About four years before the old man died he was considerably deranged and erratic. Among the numerous idiosyncracies which possessed him was the belief that slime was running from his face. He kept brushing and rubbing his face, and would say that his life was oozing out. He continually picked himself and pulled out his whiskers so that it became necessary to put gloves on his hands. On one side of his face the old man had pulled nearly all of his beard out. Finally it became necessary to shave his beard. He also pulled his hair out in large quantities. Going back to the time when Mrs. Brown died and Alice was sick in the house, the witness said that Mr. Brown insisted on searching his daughter's trunk, saying that Margaretta had told him that Alice had been sending many things away and that she had something stowed in her trunk. After considerable argument the search was made, but nothing was found besides her clothing except a few trinkets which Alice had purchased herself. When the search was concluded Mr. Brown said that Margaretta had told him that there were some new goods in Alice's room under a couch.

An examination disclosed that the goods referred to belonged to a lady who had called on Alice.

Mr. W. H. Haines.

In the presence of the witness Mrs. Haines told her father about the new goods. When Alice recovered from her sickness the witness asked his uncle to give her money to go back home with. He would not do it at first, but later called the witness into the hallway and said, "Now I can't give Alice this money, because Margaretta will find it out. You give her the money and if she does not pay you back I will." Witness gave Alice the money and her husband, Charles Hayden, sent it back to him. Just before the above conversation Mrs. Haines attempted to follow her father and witness into the hallway, but the former made her go back. Another conversation subsequently occurred in the back yard of Mr. Brown's residence in which he brought up the question of his daughter's legitimacy. At this time Mr. Brown again said that Margaretta told him that Alice was not his daughter. The witness told Mr. Brown that he should not believe all the lies he heard. That the imputation that Alice was not his daughter was a lie and no one knew it so well as Margaretta, who told it. Mr. Brown replied that Margaretta had never told him a lie and that he believed what she said. In regard to the time when Mr. Brown first began to show signs of a weakening intellect, the witness said that to the best of his knowledge and belief Mr. Brown's mind began to fail about 1880. At that time he ran a drug store. One of his clerks compounded a prescription and made a mistake, putting up a drug which poisoned the person who took the medicine. The parties interested threatened to sue him, and for the purpose of perfecting a settlement a consultation was held. Mr. Brown refused to settle, saying that he preferred to fight the case in the courts. His wife protested against this, saying that the time was when he would not act so foolishly, that he was a changed man, and she thought showed symptoms of softening of the brain. This greatly incensed Mr. Brown. Mr. Russell for the proponent objected to the testimony on the ground that the fact that Mr. Brown did not want to settle, a law suit was no indication that he was not a sane man, though it was his opinion that a man who would not settle a law suit outside of the courts was in a measure afflicted with softening of the brain.

The Court: "You think then, Mr. Russell, that this reluctance on the part of Mr. Brown to settle was an indication that he was not in his right mind?"

This remark forced the bailiff to rap for order in the court room.

Mr. Russell Trice a Bluff.

When Mr. Smiley finished his interrogations, Mr. Russell cross-examined. At attempt was made to rattle the witness and the attorney went at him severely. He tried to show that the witness had tried to borrow \$10,000 from Mr. Brown without security other than his note; that Margaretta had spoiled the deal by using her influence against it. The witness stated that he borrowed \$6,000 from Mr. Brown and owed that amount to the estate at the present time. Mr. Brown wanted the witness to take \$10,000, but he did not want it. This was six months before Mr. Brown died.

The witness thought Mr. Brown could lend money at that time, providing he could get a high rate of interest, as well as at any time in his life.

Mr. Russell: "Did you not try to induce Mrs. Haines to divide the estate with Alice and threaten to scandalize her if she did not?"

"I did all I could to keep this out of the courts. I tried to effect a settlement, but did not threaten to scandalize her."

"Did you not sow broadcast in the community a scandal about Mrs. Haines?"

"No, sir, I never did."

"You must understand that you are under oath, Mr. Brown."

Mr. H.: "Your honor, I think such a remark as that entirely uncalled for, and suggest that you reprimand the gentleman."

The Court: "I think the witness sufficiently intelligent to know that he is under oath."

Mr. Smiley: "There is no use in my brother trying to stir up a feeling of sentiment in the witness. Perhaps that is the way they practice law in Detroit, but we behave ourselves in Grand Rapids."

The witness was dismissed and Mrs. Catherine Cross, Mrs. Brown's sister-in-law, testified in regard to the treatment by Mrs. Brown of her husband and daughter, Alice, prior to the death of the latter's daughter, Maud, and corroborated in other details the testimony of the former witness.

All Witnesses Agree.

The next witness called was Mrs. Theresa Fooks, whose father was Mrs. Brown's first husband. She said that she was the Brown family reared in Paris and was at the house frequently, and that the treatment accorded Mrs. Brown and Alice was of the best. The testimony of this witness was short, simply substantiating in part that given by other witnesses in regard to the affection which Mr. Brown entertained for his wife and daughter.

Mrs. Minnie Neahr, who conducts a hair dressing establishment at No. 63 Monroe street, testified. She became acquainted with the Brown family when she was a little girl; was at the house frequently; knew that Mr. Brown was indulgent and kind; that he bought Alice and her mother everything they wanted, and seemed in every way to idolize them. The witness recollected the death of Maud, daughter of Alice, and said that when it occurred Mr. Brown cried like a child. He often spoke of Maud as his little heiress. After her death he said that he should leave the larger portion of his property to Alice, as she would know what to do with it. Margaretta, he thought, was selfish and had a bad disposition. Mr. Brown expressed it as his wish that Mrs. Haines could be more like Alice. Occasionally when the witness was at Mr. Brown's, Mrs. Haines visited the house. Sometimes she would only come as far as the door, but it was usually her custom to enter and remain with her wraps on until she was ready to go. About all she did was to grumble and find fault because Alice had a few things which

she did not. When she complained Mr. Brown usually bought her what she wanted, but remarked when he did so that it was useless as Margaretta would only hang the clothes up and never wear them. Mrs. Neahr noticed when Mr. Brown began to change in his treatment toward his wife and daughter. It was about 1880. At that time he went to Grandville and remained all night with Mrs. Haines. When he returned he was cranky and disagreeable. He grew worse in this regard and his mind seemed to become affected at the same time. He became slovenly in his habits and very untidy. When eating he spilled his food all over himself. Witness heard Mrs. Brown tell her husband that she thought he had softening of the brain, because he did not know enough to wipe his nose. When Alice moved to Denver Mr. Brown was very sad and said he thought she ought to stay home, because she was such a comfort to her mother. Court adjourned until the morning, with the examination of the witness unfinished.

BOARD'S REGULAR MEETING.

Police and Fire Commissioners Hold an Unimportant Session.

The board of police and fire commissioners held a brief session yesterday afternoon. Little business was done outside of auditing a few accounts and referring petitions. Bills to the amount of \$211.50 were ordered paid. Several persons petitioned the board to appoint C. L. Strong to watch the stores and property on East Fulton and East Bridge streets. The petition was referred to the committee on men and discipline. A petition from the Press club asking that one room be set aside in the new police headquarters building for the use of reporters was referred to the committee on finance. R. A. Hillon asked to be reinstated on the police force. The resignation of N. H. Norton from the police force was accepted. The committee on firemen was requested to confer with the board of public works relative to having the floors of the new police building laid with hard wood.

APPEALED THE CASE.

Irving Woodworth Convicted Under the Milk Ordinance.

Irving Woodworth was convicted in police court yesterday of violating the milk ordinance, viz., conducting his business as a dealer in milk without procuring a license. When the court was called to order in the afternoon Judge Haggerty said he would the ordinance to be valid, so far as the police concerned, and that he would leave the question to be passed upon by a higher court. Mr. Woodworth was fined \$25, or in default of payment to be confined in the county jail for thirty days. The case was appealed to the superior court.

Court Notes.

Rose Gallagher has sued Thomas Dixon in justice Brown's court to recover \$67.13 claimed to be due the plaintiff for services rendered in two restaurants of the defendant as a cook. The case will be on call this morning.

Zacharias Groot filed a bill for divorce in the superior court yesterday against Gritje Groot, his wife. The grounds alleged are desertion and non-support.

Execution of sentence in the case of Fred Smith, drunk, was deferred by Judge Haggerty of the police court yesterday until this morning.

Sarah Hahn has sued the National Union Insurance company. The declaration was filed in the circuit court yesterday.

The case against Michael Evener, disorderly, was nolle prossed.

New Cases Filed.

The following cases were started in the circuit court yesterday: M. Lewis Swift institutes foreclosure proceedings against Richard Stanton and Eliza Stanton for \$600. Perry Hardsell begins a suit against John H. White for \$200 on a promissory note. In addition to the above two cases, returns on appeals have been filed in the case of Dr. W. DeLano against Joel Collins. The physician sues for medical services and wants \$55.00. Returns on appeal have also been filed in the case of Mary A. Foster against John Snyder. Both are from Justice Westfall's court.

Fined and Discharged.

Upon the advice of County Agent Hathaway, the prosecuting attorney nolle prossed the cases yesterday before Justice Westfall against the boys who were arrested January 24 for breaking into the Grove house in Walker township and stealing a jug of wine, a revolver and four gold star studs. The boys were discharged upon the payment of \$24.85 costs, divided as follows: James Hastings, aged 15, John Meyers, aged 12, \$6.30 each; Martin Hall, aged 15, and Frank Nemeyer, aged 14, \$4.30 each; and John Van Dyke, aged 10, \$3.65.

Three Jugglers Jailed.

J. B. Cooper and Henry Gallagher pleaded guilty in police court yesterday morning to the charge of drunk and disorderly. Each was fined \$5 and costs, but being unable to pay the amount both went to jail for thirty days. Charles Townner's jag was not so disorderly and he was fined \$2 and costs or to be confined in the county jail for ten days. He was committed.

His Last Will.

The will of Daniel Bird, deceased, who was a resident of Grand Rapids township, was filed in the probate court yesterday. The use of the estate, valued at \$3000, is given to his wife during her lifetime. After Mrs. Bird's death the property is to be divided equally among the following five daughters: Mary Ann Persinger of Salem, Wis.; Martha E. Esworth, ety; Fanny L. Downing and Nancy Potts, Alpine.

His Case Deferred.

Adelbert Winters, a boy 12 years old, was up before Judge Haggerty yesterday on a charge of petty larceny. He was arrested a few weeks ago charged with stealing a boiler from near the Michigan Trust company's building and offering it for sale at Sandler's junk shop. The testimony was all submitted



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Syrup of Figs is for sale in 50c and \$1 bottles by all leading druggists. Any reliable druggist who may not have it on hand will procure it promptly for any one who wishes to try it. Do not accept any substitute.

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and the case was deferred till Thursday, February 25, in order to give the court an opportunity to confer with the county agent.

Zuidwig Is a Stagger.

William Zuidwig was sentenced to the county jail yesterday for thirty days by Judge Haggerty for drunkenness. Mrs. Zuidwig testified that she had received no money or means for her support from her husband since Christmas, and that he had been drunk nearly all the time since.

LAW AND LAWYERS.

Superior Court.

JUDGE BURLINGAME.

Alice Rivard vs. The City of Grand Rapids; continued over the term by consent.

Circuit Court—Part I.

JUDGE ADAMS.

Alice I. Hayden vs. Margaretta Haines, appeal from probate court; on trial.

Excursion to Detroit.

For the Michigan club banquet at Detroit February 22 and ex-President Cleveland's reception and banquet at Detroit February 23, the D. G. H. & M. C. will sell round trip tickets at single fare, good to return up to and including February 25. For tickets apply at city office, 23 Monroe street or at depot.

Will Celebrate Washington's Birthday.

On next Monday, Feb. 22, Kramer, the photographer, No. 384 South Division street, will give to every caller ordering one dozen of his best finish cabinets, or engaging a sitting for the same, one life-size enlargement free, similar to those now on exhibition and so much admired in the store windows down town. These enlargements are all finished up in India ink.

Protective Brotherhood.

Germania hall will witness a scene of festivity on Wednesday evening, February 24, second to none. The first annual entertainment of the Protective Brotherhood. They propose to make it an entertainment to be remembered by all. Although young, still they have acquired a membership that no other organization in the same space of time could obtain, and this being their first entertainment they propose to leave no stone unturned to make the evening an enjoyable one. While public in a measure, all tickets must be bought for, and they propose and will give a strictly first-class entertainment. The program speaks for itself, everything being from either members or friends of the club. Families are especially invited. Come and have a good time. You will never regret the time spent with the first annual entertainment of the Protective Brotherhood.

Children's Aid Society.

There has been a large sale of tickets for the "Rose Maiden" cantata at Hartman's hall Tuesday, the 23d. Box office open Monday, 23d, at 9 a. m., for sale of reserved seats; only fifty cents.

Do not confuse the famous Bitch of Boses

with the many worthless paints, powders, creams and brashes which are flooding the market. Get the genuine Bitch of Boses. 75 cents per bottle, and I guarantee it will remove your pimples, freckles, blackheads, moles, and sunburn, and give you a lovely complexion.

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The best salve in the world for cuts, bruises, sores, ulcers, salt rheum, fever sores, tetter, chapped hands, chilblains, corns and all skin eruptions, and positively cures piles, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price 25 cents per box. For sale by Peck Bros., druggists, corner Monroe and Division-sts.

Peckham's Group Remedy cures whooping cough.

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